

REMARKS/ARGUMENTS

This is in response to the office action dated March 5, 2004. Claims 2-5, 8, 9, 12 and 17-19 are pending in the application. Claims 2 and 17-19 are rejected. Claims 3-5, 8, 9 and 12 are objected to.

Claims 2 and 17- are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner has concluded that the proviso in claim 2 “does not have support in the instant disclosure entirely”. The Examiner has also pointed out that in the original proviso Z is phenyl or naphthyl and Y is carbonyl when L is (N-methylene)-4-acetylpiperidin-4-yl and concludes that the new proviso is inconsistent with the proviso in the disclosure. By the present amendment claim 2 has been amended by conforming the proviso to the disclosure on pages 9 and 10 of the specification. It is believed that the claims as amended are consistent with the disclosure.

Reconsideration of the rejection of claim 2 under 35 U.S.C. 112 is courteously requested.

Claims 17-19 are rejected under 35 U.S.C. 112, first paragraph, on the ground that the specification, while enabling for the pharmaceutical composition and treatment of some disorders associated with NPY receptor subtype 5, it is deemed to not reasonably provide enablement for the pharmaceutical composition and treatment of other disorders such as obesity and bulimia.. The Examiner has pointed out, that Claim 17 recites a method of treating disorders and diseases associated with NPY receptor subtype 5 which encompasses the treatment for diseases such as obesity and bulimia nervosa, while claims 18 and 19 recite a pharmaceutical composition for the treatment of a number of diseases associated with NPY including obesity and bulimia nervosa. The Examiner has concluded that it is contradictory to state that one chemical agent could help an obese person lose weight and still treat bulimia nervosa. By the present amendment claim 18 is being amended by the deletion of the words bulimia nervosa. It is believed that the claims as amended no longer read on a contradictory treatment.

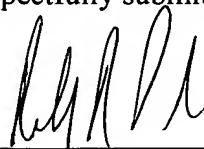
Reconsideration of the rejection of claims 17-19 under 35 U.S.C. 112 is courteously requested.

Claims 3-5, 8, 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the amendments made to base claim 2, it is believed that the claims as amended are now allowable. No need is seen, therefore, to rewrite claims 3-5, 8, 9 and 12 in independent form.

Applicants take note of the fact that the prior art of record does not teach the species recited in the present claims and that an updated search only yielded references which show the state of the art.

In view of the above discussion and the amendments herein being made to the claims, it is believed that all of the outstanding objections and rejections have been removed. Applicants respectfully request that a timely Notice of Allowance be issued in this application.

Respectfully submitted,



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Dated: May 27, 2004